IN THE HIGH COURT OF JUDIATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.4436 OF 2004

Indrasen Singh and Ors. .. Petitioners
Vs.
The State of Maharashtra & Ors. .. Respondents.

Mr.P.S.Dani for the petitioners.

CORAM : D.B.BHOSALE, J.

DATED : 23RD FEBRUARY, 2005

P.C.:

. Heard Mr.Dani, learned counsel for the petitioners.

2. This petition is directed against the concurrent findings recorded by the courts below in the proceedings arising out of Exhibit-5 application filed by the petitioners. The judgment and order of the appellate court is dated 2.8.2001. The petitioners had earlier filed Civil Revision Application No.1880 of 2002. However, no interim order was passed in the civil revision application. Keeping that in view and considering that there are concurrent findings recorded by the courts below, in my opinion, appropriate course would be to direct the trial Court to dispose of the suit within time frame.

Hence the following order:

(a) The trial Court shall dispose of the suit bearing Regular Civil Suit No.298 of 1993 as expeditiously as possible as and preferrably within a period of one year from today. It is needless to express that the trial Court shall decide the suit in accordance with law and uninfluenced with the observations made by the courts below in the instant proceedings arising out of Exhibit-5 application.

(b) The petitioner to produce a copy of this order before the trial Court within four weeks from today.

. The writ petition is, accordingly, disposed of.

(D.B.Bhosale, J.)